

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHENTILE GOODMAN,
Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

Case No. 2:11-cv-01447-MMD-VCF

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE
CAM FERENBACH

Before the Court is the Report and Recommendation of United States Magistrate Judge Cam Ferenbach (dkt. no. 149) ("R&R"), submitted on May 12, 2014, relating to Defendant Nevada Property 1, LLC's Second Motion for Determination of Good Faith Settlement (dkt. no. 145), Plaintiff's Limited Joinder (dkt. no. 146), LVMPD Defendants' Limited Response to Plaintiff's Limited Joinder (dkt. no. 147) and Plaintiff's Reply to LMPD Defendants' Limited Response to Plaintiff's Limited Joinder (dkt. no. 148). The parties had until May 29, 2014, to file objections. No objection to the R&R has been filed.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

1 Indeed, the Ninth Circuit has recognized that a district court is not required to review a
2 magistrate judge's report and recommendation where no objections have been filed. See
3 *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard
4 of review employed by the district court when reviewing a report and recommendation to
5 which no objections were made); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
6 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the
7 view that district courts are not required to review "any issue that is not the subject of an
8 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
9 the court may accept the R&R without review. See, e.g., *Johnstone*, 263 F. Supp. 2d at
10 1226 (accepting, without review, a magistrate judge's recommendation to which no
11 objection was filed).


12 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
13 determine whether to adopt Magistrate Judge Cam Ferenbach's R&R. Upon reviewing
14 the R&R and underlying briefs, this Court finds good cause to adopt the Magistrate
15 Judge's R&R in full.

16 It is therefore ordered, adjudged and decreed that the R&R of Magistrate Judge
17 Cam Ferenbach (dkt. no.149) be accepted and adopted in its entirety.

18 It is further ordered that Defendant Nevada Property 1, LLC's Second Motion for
19 Determination of Good Faith Settlement (dkt. no. 145) is granted.

20 It is further ordered that, upon an express finding that there is no just reason for
21 delay, the Clerk is directed to enter final judgment dismissing Nevada Property 1, LLC
22 from this case, with prejudice, pursuant to Fed. R. Civ. P. 54(b). Defendant Nevada
23 Property 1, LLC is discharged from all liability for contribution and for equitable indemnity
24 to any other tortfeasor pursuant to NRS § 17.245.

25 DATED THIS 30th day of October 2014.

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28 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE